

Minutes of a Town of Riverhead board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, June 19, 2012 at 7:00 p.m.

PRESENT:

Sean Walter,	Supervisor
John Dunleavy	Councilman
James Wooten,	Councilman
George Gabrielsen,	Councilman
Jodi Giglio,	Councilwoman

ALSO PRESENT:

Diane M. Wilhelm,	Town Clerk
Robert Kozakiewicz,	Town Attorney

(The meeting was opened at 7:10 p.m.)

Supervisor Walter: "We're getting there. Usually we start right on time, too.

Are we ready? Apparently— Pat you're not. Billie, can you lead us off in the Pledge of Allegiance?"

(At this time, the Pledge of Allegiance was recited, led by Billie Friszolowski).

Kathy, would you like us to sit or stand?"

Kathy Berezny: "Okay. Dear Lord, Father of all people. Please accept our thanks for your interest in our community.

We call upon you for strength and guidance at the Riverhead town board meeting. Give us your direction so that we may be more faithful, responsible and effective serving the community and people committed to our care in the days ahead.

We ask this in your name. Amen."

Supervisor Walter: "All right. So when you are a public figure sometimes you have public things come out that you don't want to come out.

So obviously I said some words and I regret, and so I'm sitting here today-- even up til today I was like I'm not apologizing, reading some biblical verses that I wasn't reading, I was just paraphrasing and I said I'm not doing anything.

And then so Councilman Gabrielsen came in and I was reading the bible and I want to read something and I'm going to say something. And it's Matthew-- and I don't have my glasses to read. You know you don't normally get a bible verse in your town board meeting but I'm not the typical supervisor I guess.

So this is Matthew 7 and it's do not judge. Judge not that you not be judged for with what judgment you judge, you will be judged. And with what measure you use it will be a measure back to you. And why do you look at the speck in your brother's eye but do not consider the plank in your own eye, or how can you say to your brother, let me remove that speck from your eye and not look at the plank that is in your own eye? Hypocrite.

First remove the plank from your own eye and then you will see it clearly to remove the speck from your brother's eye. Do not give what is wholly to the dogs nor cast your pearls before swine lest they be trampled under their feet and turn and tear you to pieces.

Ask and it will be given to you. Seek and you will find. Knock and it will be opened for you.

For everyone who asks receives and for he who seeks finds. And to find him who knocks it-- and to him who knocks it will be opened. For what man is there among you who if his son asks you for bread will not give him a stone. Or if he asks for a fish, he will not give him-- a serpent.

If then being evil know how to give good gifts for your children. Know how much more your father who has in heaven will give good things to those who ask.

Therefore, whatever you want men to do to you-- do to them-- "

(At this time, the disk malfunctioned)

Supervisor Walter: "This is a proclamation that was written by the town board and I'm going to read it.

It is fitting and proper that the town board and the residents of the Riverhead town especially those residing within the boundaries of the Riverhead fire district which includes the hamlets of Riverhead, Centerville, Northville, Roanoke, Reeves, and a small portions of Aquebogue (disk malfunction).

Whereas, the Riverhead Fire Department ladies auxiliary was organized in 1932 to aid and assist members of the Riverhead Fire Department when called upon-- Billie, do you want to sit down if that's too much to stand. Okay. There you go. John, hang on.

Whereas, since 1947 Billie has actively served the residents throughout the Riverhead Fire District by going above and beyond the call of duty as an active member of the Riverhead Fire Department ladies auxiliary; and

Whereas, Billie has held the office as President from 1974 to 1975, Vice-President from 1954 to 1955, and in 1973, and Secretary from 1950 to 1951, and for the past 22 years, Billie has actively held the office of Sergeant at Arms to welcome and introduce guests at monthly meetings and to lead the auxiliary in the Pledge of Allegiance; and

Whereas, Billie Friszolowski has been a committed member of the ladies auxiliary and exhibited dependability and leadership as the devoted member of the organization and has clearly validated the pride and distinguished reputation to upheld by the Riverhead Fire Department ladies auxiliary; and

Whereas, Billie Friszolowski has inspired others with her positive attitude, willingness to sponsor members and to serve on various committees of the ladies auxiliary including working on fund raisers and (inaudible)-- I don't know what that is."

Councilman Dunleavy: "That's when they're at a fire and they need refreshments or food, the ladies auxiliary come in and prepare food and refreshments for the firemen."

Supervisor Walter: "I'm not a firefighter; I learned

something new.

Now, further, let it be known that the town of Riverhead (disk malfunction).

Supervisor, town of Riverhead, by the authority in me as supervisor of the town of Riverhead do hereby ask the residents of the town of Riverhead to graciously join in the celebration-- "

Councilman Dunleavy: "Of Billie Friszolowski in the town of Riverhead."

Supervisor Walter: "There you go. We've-- do you want me to read this whole one? Okay, we're going to read this. Does anybody else want to read this? Okay. All right.

This is the 80th anniversary of the ladies auxiliary in the Riverhead Fire Department.

Whereas, upon-- oh, I'm going to need you for the names here.

Whereas, the suggestion of two volunteer firemen of the Riverhead Fire Department, Stanley Polinski (phonetic) and Frenk (inaudible), the wives of the volunteer firefighters organized the ladies auxiliary to aid and assist the department when needed; and

Whereas, the first meeting of the ladies auxiliary (disk malfunction). You guys didn't have first names then.

Mrs. Harry Penny as Vice-President and Mrs. Rudolph Hajak (phonetic) as Secretary and Mrs. William Hubbard as Treasurer; and

Whereas, the first bylaws of the Riverhead Fire Department ladies auxiliary were adopted in February, 1932 and it was established that regular meetings will be held on the second Wednesday of each month at 8:00 in the evening; and

Whereas, the ladies organized a refreshment committee to aid the firefighters, a signal 8, (inaudible), a parade team and held fund raising events such as card parties, cake sales-- I like cake, rummage sales and during war time they donated cakes and their time to the USO; and

Whereas, throughout the past 80 years the Riverhead Fire

Department ladies auxiliary has assisted the firefighters in our community whether by offering refreshments at (inaudible), raising funds or helping with community events.

Now, further, let it be known that the Riverhead Fire Department ladies auxiliary is a community resource that has enormously benefitted the residents of the town of Riverhead and provided assistance to the Riverhead fire department for 80 years.

Be it therefore resolved, what is it today?"

Councilman Dunleavy: "It's their 80th anniversary for the ladies auxiliary of the Riverhead fire department."

Supervisor Walter: "Thank you very much. Ladies, thank you for coming to the town board meeting. Does anybody want to take pictures with some of the members of the ladies auxiliary? We'll come over here."

(Disk malfunction)

Councilman Dunleavy: "I'd like to make a motion that we approve the minutes of the June 5, 2012 town board meeting and the special town board meeting of June 7, 2012. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The minutes are approved."

Supervisor Walter: "Okay. Reports, Diane."

Diane Wilhelm: "Okay."

REPORTS:

Tax Receiver

total tax collection to date
June 7, 2012 - \$126,739,126.49

total tax collection to date June
14, 2012 - \$127,797,434.29

	utilities collection May, 2012 - \$270,550.56
Police Department	monthly report, May 2012
Building Department	monthly report, May 2012 - \$234,248.50
Fire Districts	2011 certified audit for the Jamesport Fire District

CORRESPONDENCE :

Charles R. Cuddy, Esq.	letter re the proposed amendment to Chapter 108 Zoning RC Retirement Community district of the town code
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APPLICATIONS (pending Town Board approval)

Special permit	Riverhead Country Fair - down- town riverfront area - October 7, 2012
	Forgotten Friends of Long Island - summer fair at Garden of Eve 4558 Sound Avenue, Riverhead - August 18, 2012
Parade/Assembly permit	Riverhead High School commence- ment ceremonies, football field June 23, 2012
Fireworks Permit	Friars Head Golf Club - held on beachfront at Golf Club, July 7, 2012
	Riverhead BID - held at Grangebel Park, July 3, 2012
	Jamesport Fire Department - held near the grounds of the George Young Community Center - July 14, 2012

Supervisor Walter: "All right. Any committee reports?"

Councilman Wooten: "No. I just- I know the boat race (inaudible). Prior to that, I just wanted to congratulate all the seniors that are graduating from Riverhead school this coming week on the 23rd. I know there's 77 from Mercy High School and there's 334 from Riverhead High School.

But what's unique is that for the first time ever, Riverhead High School students were accepted to seven out of the eight Ivy League colleges. So it says a lot for what's going on in Riverhead and I wish them luck in their future endeavors."

Councilman Gabrielsen: "All right. I just wanted once again to mention this Sunday is the cardboard boat race starting at 12 noon. It's going to be a great event. So everybody go down there and cheer on your favorite boat which would be mine."

Supervisor Walter: "I don't know. That Gabrielsen boat works, let's see if lightening strikes twice."

Councilman Gabrielsen: "Well, he makes a few of them, so- "

Supervisor Walter: "They all look the same, like bricks."

Councilman Gabrielsen: "Yeah. But it go you the trophy last year."

Supervisor Walter: "Let's see if lightening strikes again."

Councilman Gabrielsen: "That would be nice. I'll put a brick in it."

Supervisor Walter: "All right. Anybody else? No?

Let's go to public hearings.

Public hearing opened: 7:27 p.m.

Supervisor Walter: "7:05 having arrived and left, we have the consideration of a local law to amend Chapter 108 entitled Waterways of the Riverhead town code, 108- excuse me, Section 108-6 operation, reckless speed operation, areas restricted to electric motors.

What did I say- 106.

John, this is you. We have to change this slightly. Wait a minute. That's the one.

We're taking out- "

Robert Kozakiewicz: "Boat vessel or."

Councilman Dunleavy: "Okay. What this is doing, it's for our environment and the ecology.

What we're doing, we're not permitting any more gas powered engines on the Peconic River from Grangebel Park north to our town line. This will save the environment and ecology in case anything spills in there.

Electric can't spill and so we're just trying to help the environment and the ecology by doing this."

Supervisor Walter: "All right. We are- we'll take your comments if there are any in a minute.

We have too many boat vessels or vessels in here so there's a slight modification. I don't think it goes to the substance of the regulation.

Section J, the first sentence- the first line, we're taking out boat vessel or just before the last sentence- word motor in that line. So it will read no person shall operate, start, run or permit to be operated a motor boat other than an electric motor to propel a boat and then we're going to take out vessel or.

So it's going to be propel a boat, motorboat- a boat or, so the or should stay in there, or motorboat on the Peconic River, including the water areas in and- basically what we did is we precluded all boats and that was never our intention, motorboat, canoe, sailboat. So it was never out intention. We're pulling that out to make it correct.

So with that being said, I know we've talked about this before. Does anybody else want to be heard? I know some people are supportive of it. If you'd like to be heard, sir? Yes, step up and give us your name and- I think we got it right this time."

Robert Kozakiewicz: "While he's stepping up. I think also in the second sentence we're going to delete or propose to delete boat, vessel or as well because boat is any vessel propelled in any manner and then when you look at vessel it includes a sailboat and other boats.

So I think just to eliminate motorboat is- "

Councilman Dunleavy: "Can I just ask one question?"

Robert Kozakiewicz: "-- that which is propelled by an engine so to avoid any further confusion- so just motorboat would be in both the first sentence and the second sentence."

Councilman Dunleavy: "What about those motorized like skidoos and things like that in the lakes? That's what I'm concerned about. The jet skis. Are they considered motorboats?"

Robert Kozakiewicz: "They're considered a personal water craft."

Councilman Dunleavy: "Personal water craft. Yeah."

Robert Kozakiewicz: "I think under this definition, we have the general characterization of a motorboat as any vessel that's propelled in whole or in part by an engine. So I would argue that it encompasses that."

Councilman Wooten: "Vehicle & Traffic laws of the state defines vessel."

Councilman Dunleavy: "Okay."

Supervisor Walter: "All right. And I'm going to read it one more time so it's clear for the record.

No person shall operate, start, run or permit to be operated a motorboat other than an electric motor to propel a motorboat on the Peconic River including water areas in and for the waters designated as the Peconic Lake formerly known as Forge Pond, and extending to the Grangebél Dam, westerly side of Peconic Avenue. This restriction shall not apply to emergency personnel in the performance of emergency activities that are necessary to protect the public health, safety and welfare and in furtherance of

activities pursuant to a lawfully issued permit."

Councilman Dunleavy: "But you didn't state what he just stated."

Councilman Wooten: "That's exactly what he said."

Robert Kozakiewicz: "That's what I said."

Councilman Dunleavy: "That's what it says. But does motorboat include those personal- now you said something different than he just read, which I would think- "

Robert Kozakiewicz: "I said- "

Councilman Dunleavy: "You said anything that's powered by a gas powered would be excluded."

Robert Kozakiewicz: "There's three definitions, boat, vessel, motorboat. The version included boat, vessel or motorboat and a question was raised whether somebody kayaking in theory could be charged with being on the water without an electric motor even though they were paddling.

So to avoid any confusion, it's going to be more limited or restricted if you will to a motorboat only. A motorboat is that which is propelled by a motor."

Councilman Dunleavy: "Okay. I have to be corrected because it's under the definitions of motorboat."

Robert Kozakiewicz: "Right."

Councilman Dunleavy: "And that definition of a motorboat is what you said, not the body of it. Okay? Okay."

Robert Kozakiewicz: "Exactly."

Supervisor Walter: "All right."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "State your name and hamlet."

Ernie Fugina: "Hi. My name is Ernie Fugina and I am President of the Peconic Lake Estate Civic organization.

On behalf of the Peconic Lake Civic organization, I would like to ask the board to consider the safety of the canoers and kayakers who use this lake.

Please ban the gas motors on this lake. Passing this will be favorable to the environment and the safety of all.

I want to thank all the environmental groups and fisherman that have given me support. Most of all, I'd like to thank Legislator Ed Romaine and his office staff for the support they have given me.

Thank you very much."

Supervisor Walter: "Thank you, Mr. Fugina. Does anybody else wish to be heard? Not seeing anybody, I am going to close the public comment portion. Today is the 19th, so we'll leave it open for written comment until June 29th. If anybody wants to make a written comment, you do file that in the county- town, the town clerk's office by 4:30 on the 29th."

Public hearing closed: 7:34 p.m.

Left open for written comment for 10 days to June 29, 2012."

Public hearing opened: 7:35 p.m.

Supervisor Walter: "Okay. The second public hearing is a consideration of a local law amending Chapter 10 entitled Civil Claims of the Riverhead town code, Section 10-1 compliance required.

And isn't that one for adding- "

Councilman Dunleavy: "This is adding the Riverhead IDA economic job development corporation."

Supervisor Walter: "To the- oh, there we go. Okay the economic job development corporation was something that the town of Riverhead had formed in conjunction with the IDA but it had never

been included in this civil claims portion of our town code.

Does anybody wish to be heard on this? Not seeing anybody, we'll close the public comment portion of it, leave it open for written comment until June 29th, 4:30."

Public hearing closed: 7:35 p.m.

Left open for written comment until
June 29, 2012 in Diane Wilhelm's
Office

Supervisor Walter: "Okay, it's the time where we listen for public comments on resolutions. Sal, have you been on vacation?"

Sal Mastropaolo: "A couple of conflicts."

Councilman Dunleavy: "Welcome back."

Sal Mastropaolo: "Thanks. Sal Mastropaolo, Calverton. Resolution 450. The question is are the from and to reversed on the second section, the \$33,000 worth? You would think the from should be the fees and the to should be the laterals and the professional services. It seems like they're reversed, unless I'm reading it wrong."

Supervisor Walter: "Well, we're going to ask him. It's a reclassification- "

Bill Rothaar: "It's a (inaudible) we originally declared as federal aid and then learned it was not federal aid so we're increasing developer fees as a revenue. We're reducing federal aid as a revenue."

Supervisor Walter: "Okay."

Sal Mastropaolo: "Not that part, this part. Shouldn't the to be the water main laterals and the professional services and the from be where the fees are coming from? I'm asking a question.

You would think that the money, the from, would be the fees."

Bill Rothaar: "No. These are actually fees to the town and to the water district. On any extensions, the water district and the town get fees for their administrative costs. So those were expenses and not revenues but they are expenses out of this project to the water district and to the town for their administrative fees."

Sal Mastropaolo: "Okay."

Supervisor Walter: "Weren't you an accountant of sorts?"

Sal Mastropaolo: "No. 451. I take it the contractor is the town of Riverhead."

Supervisor Walter: "Yes, Bob is saying."

Sal Mastropaolo: "What's the source of the 1.7 million?"

Supervisor Walter: "On 451?"

Sal Mastropaolo: "Yeah, 451 appendix B to budget. The total cost is 2.125 million; 350 is coming from a grant."

Supervisor Walter: "Oh, I'm sorry. I think some of it came out of our CPF funds and some of it came out of-- this is a state grant. In fact, I know a significant portion came out of our CPF funds."

Councilwoman Giglio: "Are you talking about the funding breakdown where it says contractor's share? That should say town share? Is that what you are-- "

Sal Mastropaolo: "Well, the question-- I assumed it was the town's share but the question really is, where is the money coming from? I didn't think we had that kind of money available in the CPF."

Supervisor Walter: "This was done a long time ago."

Robert Kozakiewicz: "This property was already acquired and approved."

Councilman Dunleavy: "This was purchased about three years ago, four years."

Sal Mastropaolo: "Okay. 478. Just make sure the agreement is attached. It's not in the package, so- "

Supervisor Walter: "Appoints interpreter for police department and justice court. It's probably the same agreement that we use for all of our interpreters. But you're right. I don't have it.

Bob, I'm assuming this is the same agreement."

Robert Kozakiewicz: "It's a standard interpreter agreement."

Supervisor Walter: "What else have you got, Sal?"

Sal Mastropaolo: "488, there's a typo in the section 5 on the license fee. It's about four or five pages back."

Robert Kozakiewicz: "A couple of typos on this one. Yeah."

Sal Mastropaolo: "And the last question, 490."

Supervisor Walter: "Wait, wait, hold on. Trying to acclimate myself to this resolution. Oh, okay, this is for Cody's."

Robert Kozakiewicz: "Property- it should be property. Number 5, and I'm not even sure that stays in to be honest."

Councilman Dunleavy: "Right here, number 5. Property."

Supervisor Walter: "Okay."

Sal Mastropaolo: "490. Are there any charges for the farmer's market to the farmers that participate?"

Councilwoman Giglio: "I did speak to Ray (inaudible) about that on my way in this evening and he is going to be charging \$25.00 for the booths to be rented out and anybody can just show up and set up at like 7:00 in the morning. The farmer's market will be on Saturdays throughout the summer starting at 9:00 a.m. and ending at 4:00 p.m. Anyone can show up with a 10 by 10 booth or larger if they felt they needed a larger booth, and pay \$25.00 and set up for the day."

Sal Mastropaolo: "And who's charging that?"

Councilwoman Giglio: "That is the business improvement district and that money will be used for advertising. Oh, this is different?"

Councilman Dunleavy: "This is Thursday, not Saturdays."

Councilwoman Giglio: "Oh, this is the Thursday."

Councilman Dunleavy: "Yeah. Saturday- there's no charge on Thursdays. We've been doing this for 30 years and there's no charge for the farmer's market. They park in the parking district property."

Sal Mastropaolo: "Okay."

Councilman Dunleavy: "Okay?"

Sal Mastropaolo: "Thank you. I just wanted to make sure that nobody was charging- "

Councilman Dunleavy: "Anybody can come down on Thursdays and purchase their vegetables from the farmer's market that's located behind Swezey's in the parking lot off Peconic River. It's very good."

Councilwoman Giglio: "And that resolution is in the packet this evening also, right, for that- for the business improvement district?"

Sal Mastropaolo: "No. I didn't see it. Thank you."

Councilwoman Giglio: "Okay, because Ray told me it was."

Supervisor Walter: "Okay. Mr. Romano."

Steve Romano: "Good evening. Steve Romano, Riverhead. Could you expand on Resolution 457, in particular why it's being proposed and what, if anything, will it entail an elected official to do? For instance, will they have to fill out a time ticket? If they do, who approves it?"

Supervisor Walter: "What happens is the elected officials- when all the pensions- like in Newsday. This is like in Newsday, we'll give credit to Newsday."

When all the pension issues hit the newspapers, they revised the pension system and, Meg, if I'm wrong you can tell me. The elected officials have to keep a three month log and that's good for how many years? Eight years.

Before, I think you only gave a one month log and that was (inaudible) forever. Correct? One month, once a year. Now you do-- and you only have to do it every eight years? Gee, they really tightened that up."

Steve Romano: "So they rely on the personal integrity of the elected official to say they worked so many hours?"

Supervisor Walter: "Correct. And it's for pension purposes."

Steve Romano: "If everybody remembers the ethics commission thing in the county with Mr. (inaudible) who was filling out time tickets, who said he worked when he didn't work. So it seems kind of silly but I guess, you know-- "

Supervisor Walter: "Well, you have to, you know, you have to certify it somehow, you know, the elected officials. As an elected official I can't go to another elected official and ask them for time cards. All the elected officials get 26 equal paychecks regardless of whether they show up or not."

Councilman Dunleavy: "How this is, is you keep a calendar for the first three months and every day what you do for that day, how many hours you put in, and you keep that for three months. Now that has to add up to the time that they're allotting you so you can get charged-- credit for a full day-- for your pension, for a full day.

So they're putting you-- they have to be turned into our personnel human resource director and then she gives them to the state retirement system."

Steve Romano: "Now can you get credit for more hours worked because I know how your job is allegedly a part time job. Based on what I see-- "

Councilman Dunleavy: "Right. For the first three months, everything you do you have to put down and how many hours you're putting in on that particular item that you put down."

Supervisor Walter: "Wait. Let me ask that question. Meg, can you get credit for extra hours?"

Meg: "No."

Supervisor Walter: "No. Okay."

Steve Romano: "It don't seem fair, but- and one quick- the administrative elected officials like the tax receiver, the assessor, do they have a standard work day unlike the town board, you know, where you guys work nights and days?"

Councilman Dunleavy: "No. The supervisor and the- Diane and the clerks, they work full time every single day, Monday thru Friday. They work 8:30 to 4:30."

Steve Romano: "Now, do they have to fill out a time ticket signed by the supervisor or no?"

Councilman Dunleavy: "Because they're full time."

Steve Romano: "Thank you."

Supervisor Walter: "But all elected officials have to do this, Steve."

Councilman Dunleavy: "Not all. There's two of us that don't do this because we are retired and we're not in the pension system anymore so Councilman Wooten and myself do not have to do this."

Supervisor Walter: "You're saving the taxpayer money again."

Councilman Dunleavy: "We're saving the taxpayer money."

Supervisor Walter: "All right. Anybody else wish to be heard on resolutions? Not seeing anybody, let's take up the resolutions."

Councilman Dunleavy: "Do you want to un-table-- okay, you want to do that?"

All right. I'd like to make a motion that we un-table Resolution 432."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded to un-table."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "I'm going to vote no because I don't think putting GPS in trucks is an absolute necessity. In this economy now, the town has got to cut back, cut back, cut back and I think we already dipped into the reserves two weeks ago for the highway department and we just keep whittling it down and I don't really feel this makes economic sense or responsibility on the part of the town board and I think this is one-- like I say, it's not a necessity."

I'm not really against it. Maybe in a few years if the economics in the town change. I'd support it.

But I have to vote no."

The Vote (Cont'd.): "Wooten."

Councilman Wooten: "Yes, to un-table."

The Vote (Cont'd.): "Dunleavy, yes; Walter."

Supervisor Walter: "No, to un-table and George-- Councilman Gabrielsen said it eloquently. We basically wiped out in two years the highway department's reserve fund."

This was not budgeted in the 2012 budget so the money doesn't exist so this is \$30,000 a year-- \$20,000 a year for three years. That money is not budgeted for. So I'm not going to-- but it's un-tabled."

Councilman Dunleavy: "I just can't see not un-tabling it because of that. It should be un-tabled and a vote yes or no to allot the money. And then this way it will be finished then."

Councilman Gabrielsen: "I disagree with-- wait a second. I disagree with you, John. It's like I made my point. I'd like to keep it tabled for maybe two or three years when we have the economic to do it."

Councilman Wooten: "Well, it's un-tabled, so it doesn't matter."

Diane Wilhelm: "I'll just finish. The resolution has been un-tabled."

Supervisor Walter: "Okay. So move it for a vote, please."

Councilwoman Giglio: Wards bid for automated vehicle location and monitoring (AVLM) for town of Riverhead highway department fleet. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "Geo Woodson is an elected official. He has requested this. He says he needs this to manage his department. He says it's a matter of safety. He says it could result in fuel savings.

He said he does get an equipment budget on an annual basis and he has budgeted for this and as an elected official that was put in office by the people, I think that I owe it to him and respect for the office to allow him to use his money the way he wants to.

So I will vote yes."

Councilman Gabrielsen: "And I agree, Geo is doing a good job. But our charge as a town board is to overlook the fiscal responsibility of every town department. So he doesn't have that charge to him.

And the total of this contract is actually low as \$60,000. Once again, I don't think it's a necessity in these hard economic times that the taxpayers should foot this bill.

No."

The Vote (Cont'd.): "Wooten."

Councilman Wooten: "I'll agree with Jodi to some extent but I think the taxpayers because of the union issues and the economic times, the taxpayers need somebody to be accountable.

And if this is a tool used by management in order to come into accountability so the taxpayers know they're getting their money's worth, it's a good thing. And \$20,000 a year is not going to break the bank.

So I vote yes."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "I have to agree with Councilwoman Jodi Giglio. He's an elected official. He has a budget. This is in his budget money-wise. When he runs out of money, well, he's not going to get any more. So he has to manage his money, he has to manage his people and this is good management to know.

And it helps our constituents because, especially on snow days or emergencies and they're waiting and looking and seeing what's happening with the highway department, where they are and they make these phone calls. And I've been sitting over there and a lot of people call and he can't— he doesn't know where his vehicles are. He has to call on a radio and during a storm, sometimes the radios don't work.

This way by GPS he knows where his vehicles are. He can tell the constituent when it's going to come to their street and it will calm a lot of people down who get nervous and scared during big snowstorms and hurricanes.

So I have to vote yes."

The Vote (Cont'd.): "Walter."

Supervisor Walter: "I completely agree with mis-using this. I think that it's an excellent way to protect the residents and keep the employees safe and to manage the system.

The fundamental problem is this. Two years ago, Geo had a 50% surplus in his highway budget— surplus not in his budget, but reserve fund. That was too high and we took \$700,000 out to pay for the salt barns.

He then came back and asked us to take another \$700,000 out last board meeting. In two years we had wiped his reserve funds out to just about 19%. You can't— the board has passed a resolution not

allowing us to go below 15%, so we have a very small cushion in his reserve fund.

This particular item is not in his budget and the reason you know it's not in his budget is the resolution we passed two weeks ago asked him—asked the town board to spend \$225,000 for a piece of equipment, a sweeper. And he needs it. There's no question he needs it.

The problem is as Councilman Gabrielsen said, we're in tough times. We have a 2% tax increase— not a tax increase. We have a 2% tax cap. We'll have to make decisions as to what we can afford and what we want.

Certainly I'd like a brand new car, but I have a car with 126,000 and a car with 100,000 miles on it. I can't afford it. This isn't something that I think we can afford now and I fully will support it when it is budgeted. But it's not been budgeted, folks.

So, no."

Diane Wilhelm: "Resolution adopted."

Resolution #450

Councilman Dunleavy: "Water extension #89 Peconic Sportsman's club capital project budget adjustment. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #451

Councilman Wooten: "This authorizes the supervisor to execute a New York State parks grant extension for funds to support Miamogue Point. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #452

Councilman Gabrielsen: "Authorize submission of letter of intent for operation and maintenance grant program to New York State Environmental Facilities Corporation which is the EFC. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #453

Councilwoman Giglio: "Appoints personnel to the Riverhead Youth Bureau's 2012 summer programs. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #454

Councilman Dunleavy: "Changes the status of an account clerk typist. She was part time. The person that was training her retired, has left, so she's moving into a full time position. So offered."

Supervisor Walter: "Did we second?"

Councilman Wooten: "I guess I'll second. Did you read it? Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #455

Councilman Wooten: "Accepts the retirement of the tax receiver. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "She'll be missed. Yes."

The Vote (Cont'd.): "Gabrielsen."

Councilman Gabrielsen: "If we don't approve this, does she have to stay?"

Supervisor Walter: "That solves the problem. No, I don't think-- you can't have an indenture servant."

Councilman Gabrielsen: "Yes."

The Vote (Cont'd.): "Wooten, yes; Dunleavy."

Councilman Dunleavy: "I'm going to miss her very much. She did a great job as the tax receiver and she just wants to take time off to be with her family now."

So I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #456

Councilman Gabrielsen: "Appoints a part time maintenance mechanic I. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes;

Dunleavy."

Councilman Dunleavy: "Yes. This is a job paid for by the county.

So I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #457

Councilwoman Giglio: "Establishes standard work day for an elected official. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #458

Councilman Dunleavy: "Acceptance of 2011 audited community preservation fund. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #459, 460, 461, 462, 463, 464

Councilman Dunleavy: "Can I ask a question? Can we put all the recreation resolutions together so we're not just duplicating everything-- 59 thru 64."

Supervisor Walter: "That's fine if you want to move them all."

Councilman Dunleavy: "Okay."

(Some inaudible comment)

Supervisor Walter: "Is that okay with the board to move all, 459 to 464."

Councilman Wooten: "I'd like to move 459 thru 464 which all deal with summer recreation aides and specialists to the recreation department. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please as to 459 thru 464."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolutions 459 thru 464 are adopted."

Resolution #465

Councilwoman Giglio: "Authorizes the town clerk to publish and post public notice for public hearing regarding a local law to amend Chapter 52 entitled Building Construction of the Riverhead town code, deletion of Section 52-21 energy star requirements.

This was something that came to the code revision committee by a letter requesting that we be more in line with New York State building codes energy standards rather than LIPA's energy standards.

So it eliminates the paragraph that says the town has to be in compliance with LIPA's energy standards and we will be governed by New York State.

Yes. I make a motion to move."

Councilman Dunleavy: "It eliminates all Chapter 52."

Councilwoman Giglio: "52-21."

Robert Kozakiewicz: "52-21."

Councilman Dunleavy: "It's all crossed out."

Robert Kozakiewicz: "It says 52-21."

Supervisor Walter: "We're eliminating the code."

Councilman Dunleavy: "52-21. Yeah."

Councilman Wooten: "I'll second."

Supervisor Walter: "Yeah, that's it, we're wiping that out. Then we just-- what happens is then we just comply with the New York State building code which this is incorporated into."

Councilman Dunleavy: "Then I second it."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "I'd like to make a couple comments. LIPA had moved up to (inaudible) 3 and I think there was like two towns left on Long Island that didn't get off of it. It was so restricted. They had these houses so packed with insulation in the ceiling, that basically you couldn't breathe in there.

Then they introduced a ventilating system so you get oxygen to the house. It was getting so ridiculous.

So this is the salvation even for the builders. Really. These-- it would cost literally thousands more dollars for each house to build so this is a big savings for the builders and the homeowners. Go with New York State."

Councilwoman Giglio: "Right. It would cost thousands of dollars to put these things in place such as duct work, air tight duct work and the savings would be minimal. So it just doesn't make sense."

Diane Wilhelm: "I know where we are."

Councilman Gabrielsen: "Yes."

The Vote (Cont'd.): "Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #466

Councilman Dunleavy: "Accepts the donation of vehicle from Eagle Chevrolet for use by the Riverhead senior center. So moved."

Councilman Wooten: "Second."

Councilman Dunleavy: "And I want to thank Eagle Chevrolet. They gave us a pickup truck to use for our homebound program, Meals on Wheels.

So thank you very much.

I so move."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #467

Councilman Wooten: "This accepts the donation of use of a natural gas powered vehicle from Apple Honda and authorizes signature of lease agreement. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "I want to thank Apple Honda and Councilman Dunleavy for pursuing this vehicle.

So I will say yes."

The Vote (Cont'd.): "Gabrielsen."

Councilman Gabrielsen: "I want to thank Councilwoman Giglio for initiating this, and Councilman Dunleavy for following it through.

So, yes."

The Vote (Cont'd.): "Wooten."

Councilman Wooten: "I'd like to thank the whole town board-- yes."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "Yes. I just want to thank Irwin Garsten from Apple Honda. He's letting us use this car, a natural gas vehicle for a year or 10,000 miles, whichever comes first to test it and see if a natural gas vehicle-- if we can save money with it and if we can use it.

And, again, this is going to be given to the senior citizen center so they can drive the elderly people to and from doctor's appointments and make sure they get there in a nice new car.

So thank you.

I vote yes."

The Vote (Cont'd.): "Walter."

Supervisor Walter: "I want to thank Councilman Wooten for not thanking anybody. Yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #468

Councilman Gabrielsen: "Adopts local law amending Chapter 103 entitled solid waste management of the Riverhead town code. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "Wow, that's a lot of pages of material here. Wow. What a perfect filibuster measure. I'll read it. No.

Yes."

Supervisor Walter: "I've got the gavel right here."

The Vote (Cont'd.): "Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. And I hate to thank people but I've got to thank Councilwoman Giglio. She spearheaded this and this is going to give us more points so we're not still graded with an F at the end of the year for our waste management disposal. So we're going to do a good job with this.

So I vote yes."

The Vote (Cont'd.): "Walter."

Supervisor Walter: "I'll believe it when I see it that we don't get an F from (inaudible).

Yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #469

Councilwoman Giglio: "Adopts a local law to amend Chapter 108 entitled zoning of the code of the town of Riverhead, Article XXIII Residence RC district. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter."

Supervisor Walter: "I'd like to thank-- yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #470

Councilman Dunleavy: "Appoints Annemarie Prudenti to act as legal counsel for the Conservation Advisory Council of the town of

Riverhead. So moved.

We're just going to give one of our deputy attorneys more work to do."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "Is Annemarie out there? Does she want this? Oh, she left.

All right. I'll vote yes."

The Vote (Cont'd.): "Wooten."

Councilman Wooten: "It doesn't really say she's going to be legal-- it says she is to act as legal counsel.

Yes."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "I have to vote yes. She's a very hard worker."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #471

Councilman Wooten: "471-- I'd like to thank my mom and-- approves the Riverhead sewer district's purchase of property described as SCTM# 0600-129-4-8. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "I'm going to vote yes. This is a house on McDermott Avenue which we have a sewage treatment pump located right behind it and with the help of the supervisor and the rest of the town board, we're getting businesses to come to Main Street and that sewer may have to be updated.

If it is, they need more land to build a bigger pumping station and so that's why we're buying this house.

I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #472

Councilman Gabrielsen: "Authorize the retention of the law firm of Campolo, Middleton & McCormick, LLP regarding claim of Robert D. Crozier. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. Their hours-- their money per hour falls in line with what we're paying and this is for the town and the town police department.

I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #473

Councilwoman Giglio: "Authorizes the retention of the law firm of Campolo, Middleton & McCormick, LLP regarding claim of Gregory J. Fisher. So moved."

Councilman: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #474

Councilman Dunleavy: "Authorize the retention of the law firm of Campolo, Middleton & McCormick LLP regarding claim of Charles Schneider. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "I think we're going to have to move our offices to this law firm."

I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #475

Councilman Wooten: "This approves the application for fireworks permit of Riverhead Business Improvement District Management Association for July 3, 2012. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. This is a great show so everybody should come down July 3rd, 9:00 to watch these fireworks."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #476

Councilman Gabrielsen: "Approves Chapter 90 application of Church of the Harvest and that's Riverhead Community Appreciation Day, July 28, 2012. So moved."

Councilwoman Giglio: "And seconded."

Supervisor, Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "I was there a couple years in a row. It's a great event. It's got great Christian music and they've got plenty of food and it's all for free."

So, yes."

Supervisor Walter: "Which one is this, which Church? Okay."

Councilman Dunleavy: "Raynor Avenue."

The Vote (Cont'd.): "Wooten, yes; Dunleavy."

Councilman Dunleavy: "I'll tell you what. This is a very good church. On Thanksgiving they pay for meals for the hungry. They go to the diner to get a Thanksgiving Day meal. And they'd just like to thank everybody that helps them during the year and this is a great event."

I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #477

Councilwoman Giglio: "Approves extension to license agreement with Wadington Realty Corp. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, abstain. The resolution is adopted."

Resolution #478

Councilman Dunleavy: "Appoints interpreter for the police department and just court. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #479

Councilman Wooten: "This approves the application for fireworks permit of Newton Shows (Peconic Bay Medical Center) family festival for July 6, 2012. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yeah. This is for Peconic Bay Medical Center, Route 25A in Wading River. Every year they have a carnival and it's great. It runs for three days so everybody should go out there with the kids and have fun and watch the fireworks on July 6th.

So I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #480

Councilman Gabrielsen: "Approves Chapter 90 application of

Peconic Bay Medical Center, for family festival, July 4, 2012 thru July 7, 2012. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #481

Councilman Dunleavy: "Authorize the release of security of Riveredge LLC, Riverhead Building Supply at EPCAL. So moved."

Councilwoman Giglio: "Wait a minute, 481."

Councilman Dunleavy: "That's you."

Councilwoman Giglio: "I'll read it."

Releases maintenance bond of Wading River Woods LLC in connection with the condominium project known as Wading River Woods, one year maintenance bond. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #482

Councilman Dunleavy: "All right, now this is mine."

Authorizes the release of security of Riveredge LLC, Riverhead Building Supply at EPCAL. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes;

Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #483

Councilman Wooten: "This authorizes the town clerk to publish and post a help wanted ad for a part time kennel attendant. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. If anybody likes dogs and they want to work part time at the kennel, please come in. On line, get an application and fill it out.

I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #484

Councilman Gabrielsen: "Approves Chapter 90 application of Railroad Museum of Long Island, Riverhead Railroad Museum open house 2012. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten."

Councilman Wooten: "That's the end of August, right?"

Diane Wilhelm: "That was a yes?"

Councilman Wooten: "Yes."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "I guess I'm the only one advertising these things. They're great. This Railroad Museum is great for the kids. They have a train that runs around the whole-- inside of the Railroad Museum.

They have an electric train set they received from New York City. I think they got it from Macy's, that anybody can go in and watch them run it and it's great for the kids and the adults.

So I vote yes.

The 25th to the 26th."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Supervisor Walter: "That's because, John, you go to every single thing. I don't think there's a thing in this town that you don't show up at, which is good."

Resolution #485

Councilwoman Giglio: "Authorizes the town clerk to charge and receive a fee of one dollar (\$1.00) per deer hunting permit issued effective throughout the legal deer hunting area of the town of Riverhead. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "This is really pretty much housekeeping. Yes."

The Vote (Cont'd.): "Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. The DEC is requiring us to do this.

I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is

adopted."

Resolution #486

Councilman Dunleavy: "Authorize the town clerk to publish and post a public notice to consider a local law to amend Chapter 58 entitled Dogs of the Riverhead town code. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #487

Councilman Wooten: "This appoints William F. Duffy to act as legal counsel for the Architectural Review Board of the town of Riverhead. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yeah. This is one of our deputy town attorneys. We're giving him extra work, but he's only to act as. So he doesn't really have to be here, legal counsel. He just acts as a legal counsel.

I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #488

Councilman Gabrielsen: "Authorize the supervisor to execute a license agreement with Downtown Riverhead Holdings, LLC. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten."

Councilman Wooten: "Yes. Just with that one correction on that word properly, property."

Yes."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "Yes, as corrected."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #489

Councilwoman Giglio: "Approves Chapter 90 application of the Riverhead Country Fair Committee, Riverhead Country Fair - October 7, 2012. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "Are we waiving this Chapter-- "

Supervisor Walter: "Yeah, we are."

Councilwoman Giglio: "Bob, do you have the insurance, five million?"

Supervisor Walter: "I think we're doing two million, that's what the board determined the last time."

Councilwoman Giglio: "I'll vote no."

Supervisor Walter: "Well, Rotary supplies this insurance, the alcohol."

Councilman Dunleavy: "They're the only ones that serve it,

right?"

Supervisor Walter: "And the vendors too. And I think the board made a determination-- "

Councilman Wooten: "There's no vendor, except the Rotary."

Supervisor Walter: "In theory. But two million is what the board-- we talked about the last time."

Councilman Gabrielsen: "Is this business as usual, the Rotary doing this?"

Supervisor Walter: "Yes-- for charity. It's been that way forever."

Diane Wilhelm: "Jodi, did you vote no?"

Councilwoman Giglio: "Yes."

Diane Wilhelm: "You voted no. Correct."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten."

Councilman Wooten: "I've been a member. I probably should abstain."

Councilman Dunleavy: "Well, you're the announcer. If you want to hear Councilman Wooten announce all day long, you've got to come."

Councilman Wooten: "Really? Then I'll vote yes."

Diane Wilhelm: "You're going to vote yes, okay."

Councilman Dunleavy: "I just don't think-- I don't think we should waive Chapter 46 for the entire town. I think we should waive it only for the areas where they are which would be Main Street and Peconic parking lot. I don't think we should waive it up in Polish town or Wading River or Jamesport."

Robert Kozakiewicz: "It's applicable to the area that's the subject matter of the Chapter 90. So it's tied to the application. It's not a town-wide waiver."

Councilman Dunleavy: "The last one we limited it to the parking lot."

Supervisor Walter: "Yeah, this is going to be, too."

Councilman Dunleavy: "Does it say that? Oh, we've got a member next to me. If I don't vote yes, I'm going to get stabbed here."

I vote yes."

The Vote (Cont'd.): "Walter."

Councilman Dunleavy: "I just think it should be-- it should be waived for the entire town and our town attorney is saying that it's going to be limited."

Robert Kozakiewicz: "Are you suggesting and I guess that's the question, that by waiving Chapter 46 that somebody in Wading River can walk around with a beer outside? No, that's not what this is."

Councilman Dunleavy: "Okay. That's what I want to know."

Robert Kozakiewicz: "Okay."

Supervisor Walter: "Unless you are on your property."

Councilman Dunleavy: "Yeah, you can have a beer on your property."

The Vote (Cont'd.): "Walter."

Supervisor Walter: I vote yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #490

Councilman Dunleavy: "Establishes location for farmer's market for 2012 season. So moved."

Councilman Wooten: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "I just want to point out, this will be on each Thursday beginning June 21, 2012 obviously and just run through the harvest season."

And I want to thank Bob Gannon. He's been instrumental in keeping this going for 30 years.

So I vote yes."

The Vote (Cont'd.): "Wooten."

Councilman Wooten: "I certainly will support this. I don't remember last year with the car show-- I don't remember the (inaudible)."

Councilman Dunleavy: "The farmer's market is during the day time. It's not at night. It's only during the day. Certain hours during the day."

Councilman Wooten: "Okay, yes."

Councilman Dunleavy: "And it's on parking district property and it's held on every Thursday."

I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #491

Councilman Wooten: "Pays bills. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes;

Dunleavy, yes; Walter, yes. The resolution is adopted."

Diane Wilhelm: "Now we have several off the floor."

Councilman Dunleavy: "I make a motion that we take Resolution 492, 493, and 494 off the floor."

Diane Wilhelm: "495 also, John."

Councilman Dunleavy: "And 495 also. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolutions 492 thru 495 are taken off the floor.

And then we're going to call them to adopt separately."

Resolution #492

Councilman Gabrielsen: "General fund transfer budget adjustment. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "Apparently this is going to finish the dog park, am I correct, to transfer money-- "

Councilman Wooten: "What this is, it's part of the-- the dog park is situated in Calverton but it's part of a bigger plan for the tennis courts and basketball court but there is a main roadway from that beautiful parking lot up to the dog park that we want to have it paved."

Councilman Gabrielsen: "So this money would come out of recreation?"

Councilman Wooten: "Well, no, this is coming out of printing."

Councilman Gabrielsen: "Printing-- "

Councilman Wooten: "Printing line from recreation."

Councilman Gabrielsen: "From recreation so it will be out of his budget."

Councilman Wooten: "Right."

Councilman Gabrielsen: "He has the money to spare, so. We know what we can cut next year.

So, yes. I'll vote yes."

The Vote (Cont'd.): "Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. Almost all this money was donated monies. It didn't come out of the town budget and this is the last thing that we need is for this walkway from the parking lot. Unless you're walking through weeds and everything else.

So I vote yes."

Supervisor Walter: "What do you mean it's not the last? What's the rest?"

(Some inaudible discussion)

Councilman Dunleavy: "I vote yes."

The Vote (Cont'd.): "Walter.

Supervisor Walter: "I'm voting no because I don't think we should be taking it out of printing budget in the recreation department."

Diane Wilhelm: "The resolution is adopted."

Councilman Gabrielsen: "If somebody didn't get a brochure out there you'll know what happened."

Councilwoman Giglio: "We have 50 of them on the (inaudible)."

Diane Wilhelm: "Okay, so 492 was adopted."

Resolution #493

Councilman Dunleavy: "493."

Councilwoman Giglio: "Authorizes the supervisor to execute an addendum to the agreement with Black Box to audit telephone billing for the town of Riverhead. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Discussion. I'm getting all sorts of e-mails about this. I'm not quite sure, Bob, what have we done here now?"

Robert Kozakiewicz: "We have delayed the- there was a resolution done earlier in the year on January 18, 2012 authorizing the- and agreement to be entered with PSA in order to do an audit of the phone system.

There was an audit done and this is to amend it to allow for 45 additional days and to- "

Councilwoman Giglio: "This is going to amend the agreement and it's going to say that the auditing company is not going to get paid for doing the audit for 45 days after the lines are terminated.

We've been overpaying Verizon to the tune of \$75,000. So we'll realize a significant savings on an annual basis after we pay the auditing company and Verizon has confirmed that these phone lines have not been used and that we are eligible for the \$75,000 refund.

So this is just saying that the auditing company is not going to get paid for 45 days because if it's determined that one phone line needs to be reconnected he's not going to get his money for that one phone line.

So that's what the engineering department and the information technology department came up with out of our meeting with the auditing company and this is just to change the initial agreement to

delay their payment for 45 days."

Robert Kozakiewicz: "As I understand it, this is something that the town has done before. They disconnected a line thinking it was of no utility or have any use and then discovered that, oops, it was something that we did need."

Supervisor Walter: "In the police department, wasn't it?"

Robert Kozakiewicz: "So they had to reconnect. So this is sort of a boot strap to make sure it doesn't occur again and after the 45 days, assuming there's no problems, the consultant gets paid."

Supervisor Walter: "Where is the \$75,000? Do we have to pay the consultant- "

Robert Kozakiewicz: "No. We- they- it's subject to Verizon agreeing to give us a credit and then they're paid a percentage based upon the credit that we achieve from Verizon."

Councilman Dunleavy: "They get half of- and then we save the rest of the year. The 45 day delay is because these lines cannot be traced back to where they go and we have alarms all over the place and they're tested once a month. That's why this is 45 days. And if an alarm doesn't work and that line has to be reconnected, then they will not get paid for that line."

But also we've been paying for some private house, a line going into some private house."

Councilman Gabrielsen: "He's a lucky guy."

Councilman Dunleavy: "He's lucky because I called the number and he answered the phone. So I mean this is something that we have to do to save taxpayers money."

Councilwoman Giglio: "That's what the auditing company did and we're also, you know, looking into a line that we paid \$500.00 a month for a line that goes to a tower up in Wading River that the police department supposedly was using but it's not fully determined that they're using it or not using it. So that's the only outstanding item that they're still working on and that won't be disconnected."

Councilman Dunleavy: "And the e-mails you've been getting- I got one from our recreation department, Ray Coyne, who said they did this before and there wasn't any problem with them disconnecting those lines."

Councilwoman Giglio: "And they recently did it with Suffolk County Town of Islip and New York State, so and there weren't any problems with disconnecting the lines because Verizon did confirm that those lines have been inactive for a number of years. And we've been paying the phone bill for those lines."

Councilman Dunleavy: "Yeah, so we have to move along."

Supervisor Walter: "Okay."

Councilman Wooten: "Is it my turn to vote?"

Diane Wilhelm: "No. Nobody voted yet. Did you second it, John?"

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Did you move it, Jodi?"

Councilwoman Giglio: "I moved it."

Councilman Dunleavy: "And I seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "I want to vote yes but I also-- I want to thank you for everybody out there putting up with this board tonight. It's been a long affair. So thank you very much.

Yes."

The Vote (Cont'd.): "Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yeah, I think we accomplished a lot tonight.

Yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #494

Councilman Dunleavy: "Authorizes downtown solid waste collection site agreement between the town of Riverhead, Town of Riverhead parking district, and Suffolk County Community College Culinary Arts and Hospitality Center, Haiku, Blue Agave Mexican Grill and Barth's Pharmach. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. We're taking an eyesore these dumpsters away from the back of the buildings and moving them all to one location with one dumpster and everybody is going to share that one dumpster and it's going to be fenced and it's going to be landscaped."

So I vote yes."

The Vote (Cont'd.): "Walter."

Supervisor Walter: "Yes. And this has been a long time coming."

Diane Wilhelm: "The resolution is adopted."

Resolution #495

Councilman Wooten: "Same thing. We're going-- town property on the south side."

This authorizes downtown solid waste collection site agreement between the Town of Riverhead, Town of Riverhead Parking District and Cody's BBQ and Grill, Robert James Salon & Spa, the Athens Grill, Tweeds Restaurant & Buffalo Bar, Riverhead Vacuum and Sewing Center and Dark Horse Restaurant. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Again, we're taking an eyesore. Most of these stores are built at 100% on their property so we have to-- they're on town property anyway and they look awful and when you go into one of these restaurants you have to smell garbage before you go into the restaurant from the parking lot.

So if we move it, it's going to look nice and the parking lot is going to be better off.

I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Supervisor Walter: "Okay. So now we open up the public comment portion for whatever is on your mind. I want to ask the board something.

I guess-- Dennis Kenter (phonetic) came in and re-adjusted everything because it's working much better. You can hear back there better, I think, can't you? And so we talked about having table top mikes and Dennis, this is one of his-- you know, obviously it's not a brand new mike but we talked about table top instead of having these because John's is broken."

Councilman Dunleavy: "Mine's broken. I have to keep moving it up."

Supervisor Walter: "And, you know, this seems to work, you folks can hear me okay. And you can turn it off somehow. Well, we're not going to make that red light come on. There it goes. So you could turn it off and you can turn it back on.

So if the board thinks that's a good idea, maybe we'll have Dennis order these because we've got to do something. Obviously he adjusted something because it's working a heck of a lot better.

Dennis Kenter from Relay. Well, he's not from Relay but he's— I don't know, we have him as a contractor on a couple of other things."

Councilman Dunleavy: "I think it's a good idea. We have to upgrade our microphones. I mean you get some people that pull these things down and shove them up and— "

Supervisor Walter: "Yeah. You know, I don't think we need all this extra cord but, all right, so we'll— Tara, let's move forward. I think that's a good idea.

All right. Yes. Step to the plate."

Dominique Mendez: "Good evening, Dominique Mendez, Riverhead Neighborhood Preservation Coalition— "

Supervisor Walter: "We haven't seen you in so long, we missed you."

Dominique Mendez: "I did miss one meeting, yes, you're right. Just one."

Supervisor Walter: "We do have an answer for you as to where we are on that study. Would you like that answer?"

Dominique Mendez: "I think I know the answer."

Supervisor Walter: "Okay, good."

Dominique Mendez: "Yeah. And you're going to be discussing it in work session on Thursday?"

Supervisor Walter: "I was going to have Jill come up and give me the answer but— "

Dominique Mendez: "You're not going to be discussing it in work session on Thursday? You are?"

Councilman Dunleavy: "If you know the answer, can you give it to me?"

Supervisor Walter: "We're discussing it on Thursday."

Dominique Mendez: "I think you're discussing it on Thursday in work session."

Councilman Dunleavy: "Is that the answer?"

Dominique Mendez: "I think it's being presented to you by Bob and Rick Hanley. That's what I think."

Supervisor Walter: "Good."

Dominique Mendez: "Or at least what the EAF and the latest status."

So what I want to talk about is related to that and that, you know, could be a step in the right direction. But who knows how long that will take between that and zoning being adopted if you adopt.

So I was here, wow, this really is working better."

Supervisor Walter: "He really knows what he's doing. I've been playing with that thing for two years. I've never gotten it to work- "

Dominique Mendez: "Yeah. I don't remember it ever sounding quite like this."

The planning board, on Thursday something else is happening and it's the planning board is actually going to be discussing a third large shopping center in Wading River.

Now this one is called North Country or Shore. I see different names for this thing. North Country Plaza."

Supervisor Walter: "Is that the Partridge parcel?"

Dominique Mendez: "It is. It's across- they're kind of across from the King Kullen and the CVS. And for those of you who don't know, it's three buildings and one of them is over 23,000 square feet and there's another large restaurant because apparently people think we need lots of restaurants in Wading River."

This is very alarming and it's alarming because I know you're discussing it at work session, but you know, each step seems to go

very slowly and if this town board doesn't move forward adopting zoning and code changes, you are likely to put yourself in a position to do very little to improve the future of Wading River.

And I'll explain what I mean and why I would be concerned that that could happen."

Supervisor Walter: "I think we're going to adopt- I think there's consensus on the board. That's probably what took the longest time, I think there's consensus on the board to move forward and unfortunately if we move forward as I think the board is planning, that shopping center ain't going to happen."

Dominique Mendez: "Hopefully. Can I finish what I was going to say?"

Supervisor Walter: "Yes."

Dominique Mendez: "So my concerns are- and I hope that that will be the position but it's harder to be confident in that because Knightland as we know you guys- we approached you guys about doing a moratorium. We thought that was important. You guys decided not to. And then the town- not this board, approved Knightland but that was kind of- you guys knew that would probably happen."

The Zoomas parcel, there seemed to be wide support to re-zone that. It was going to be re-zoned MRP. It wouldn't have allowed retail and then three of the board members shifted their opinion on that and the major thing cited was, oh, it had gone far along in the site plan process. That wouldn't be fair.

Now we've got a proposal for a third shopping center and that could move forward. We don't want to be in a situation where we hear that same rationale again because we don't know when you're going to actually move forward and it doesn't even make sense to me why they're actually truthfully discussing this at the planning board on Thursday because this has three buildings. It doesn't even meet the minimum requirement of BCR which requires it to be a small cluster of at least four buildings.

So why they're even at that point where they are entertaining this and discussing this at this level without (inaudible) it out saying first you have to make that minimum requirement and it makes you wonder why they're even doing that at this point.

And then there's that issue with that large building-- "

Supervisor Walter: "Did they have the public hearing yet?"

Dominique Mendez: "No. But why would they even be-- why-- "

Supervisor Walter: "They have to process the application. That doesn't mean-- they have to process it. It would be improper for them not to. They can't approve it if it doesn't comply but they have to process it."

Dominique Mendez: "Yeah. But you have things like pre-submission conferences where you would say this doesn't have the right number of buildings."

Supervisor Walter: "One would think."

Dominique Mendez: "One would think, yes. And I-- and we would think."

The other concern on this is, you know, as you-- you've already acknowledged and we all know that there was an issue that it should say in the code that no building in BCR can be over 10,000 square feet but it doesn't say the word building. It says the word store.

You guys acknowledged that that wasn't the intent and many people remember that's not the intent of what that zone was supposed to say."

Supervisor Walter: "(Inaudible) that one. That we're fixing."

Dominique Mendez: "Right. But very recently there was another code issue that was brought to your attention and you guys acknowledged it was a problem but you didn't fix it until the Hawkins was allowed to build that breezeway."

So we would have logical concerns that that same thing could happen again.

You're acknowledging there's a problem. You knew there was a problem with the breezeway and you're going to correct it. But it took many months and you guys actually seemed kind of-- "

Councilman Wooten: "The horse was out of the barn as they say."

Dominique Mendez: "Yeah. Exactly. And so we'd hate to see that happen again here. That has happened before and we'd hate that shouldn't happen again in Wading River. And we hope that's not going to continue to happen."

There's another issue which is that there's been no cumulative impact study and what's disconcerting in this is the third project that could be moving forward because the Zoomas parcel is close-- it's getting close possibly to approval for that retail project, and this would be the third project and there's been no cumulative impact study."

Supervisor Walter: "Wait, hold that thought. Is Zoomas still stuck in pine barrens commission, Rick? Okay, that hasn't moved."

Dominique Mendez: "Right."

Supervisor Walter: "And as a commissioner, I haven't seen it at all so it's not even moved out of staff reports."

Dominique Mendez: "Right. But there isn't that much left probably as much left in the planning board."

Supervisor Walter: "Well, they haven't even made application because they can't do anything without going to the pine barrens commission, I think. Correct, Rick?"

Rick, they can't do anything without the pine barrens commission acting first?"

Rick Hanley: (Inaudible comment)

Supervisor Walter: "Okay. And they haven't even made an application."

Dominique Mendez: "Okay. Well our position is it should have been re-zoned as you guys originally supported but then because this process had gone far along, some of you guys had cited that is a reason not to support re-zoning."

Councilwoman Giglio: "Actually I think the reason was that we

lost litigation from Zoomas."

Dominique Mendez: "Ah, do you want to go into that?"

Councilwoman Giglio: "We did."

Dominique Mendez: "I know you did. You lost and I know exactly— I can send you guys that litigation again. The reason that you lost the zoning— the reason that you lost the case is because you made mistakes, the town and, again, not you guys. But there were mistakes made in the re-zoning of that so the zoning didn't really— it didn't match the facts on the (inaudible) and the properties around it.

So there was a reason that the court decided that. But he didn't have vested rights."

Councilwoman Giglio: "Yes. But the court decided that, so I mean the same thing with Park Road, the same thing with several other parcels throughout the town. We spend a lot of taxpayers money in senseless litigation when the courts have already ruled and we appeal and we lose and we appeal and we lose."

Dominique Mendez: "So what are you saying?"

Councilwoman Giglio: "And that is, you know, a continual pattern with litigation in this town and the judge decides that the previous— when the master plan was adopted for that particular parcel, that it was done incorrectly. They challenged it in court and the judge said they revert back to their old zoning."

Dominique Mendez: "That's because that was done incorrectly."

Councilwoman Giglio: "So then we can go back to the judge and say, but wait, we're going to do it right. And the judge is going to say but you're too late. He already did— he's already at the final stages and, you know, we keep pursuing litigation and we keep losing."

Dominique Mendez: "It's a completely different action and as long as this is justified that shouldn't hold water. Any developer could threaten to sue on anything but you can't just say here, do whatever you want."

Councilwoman Giglio: "No. But they did sue and they won."

Dominique Mendez: "But they won on a previous action and this would be a new action and as long as it's done properly, it doesn't mean that they would win this time. You can use that- Jim, you agree."

Councilman Wooten: "I agree."

Dominique Mendez: "I mean I don't think that's- "

Councilman Wooten: "You do it right."

Dominique Mendez: "Right. And that won't happen. We just- you know, really, you spent all this money on a study and right now it looks like there will be very limited re-zoning so we're just concerned that you don't waste the taxpayers' money and the time."

Councilwoman Giglio: "Right."

Dominique Mendez: "And you just go forward."

Councilwoman Giglio: "And I will say again that the zoning that's in place for the most part is as per the comprehensive plan that hasn't been challenged. Okay. So the master plan was adopted, it said this is what the zoning is. There was community input.

The zoning that was in place was much more intense such as highway zoning. You could have a concrete yard or an asphalt plant and instead the town board decided to change it and make it so that you could have something like Knightland.

And then the community was involved, the civics were involved. Everybody had a seat at the table. It was a ton of money for the master plan, for the comprehensive plan. It was hundreds of hours of community input and the outcome of the master plan for the most part was upheld, except when it was challenged by litigation which we lost."

Dominique Mendez: "This is an interesting take on it and I would say that the community did not get what it asked for. The community did not envision and did not want zoning that would allow this much retail."

Councilwoman Giglio: "Were you there at the time when the master plan-- "

Dominique Mendez: "I was not. But I've been at many discussions and lengthy discussions with many people who are integrally involved with that process."

Councilwoman Giglio: "Well, Mr. Bail was-- "

Dominique Mendez: "And I know there were some last minute changes also in this one too."

Councilman Dunleavy: "The gentleman standing behind you was there, so he knows what was discussed."

Dominique Mendez: "Exactly. Exactly. That's actually-- that's it and maybe Sid wants to suggest a little although we have rehashed that issue over and over.

Thank you."

Supervisor Walter: "Thank you, Dominique. Mr. Sid Bail."

Sid Bail: "The gentleman who was there. Right."

Councilman Dunleavy: "You're the gentleman. Yes, you are."

Sid Bail: "Thank you, thank you. It's nice to be called a gentleman.

Just some brief comments on the 25A plan. I share a lot of Dominique's concerns even though I was part of the process and it was an extended process and, but I thought there was agreement amongst the present town board that because of changing conditions, changing concerns about the need for the amount of business CR that the zoning allowed, that you were willing to finance as you did a new look at it.

And that's what you did. On Monday, I was taking a walk up North Country Road by the old oak tree and one of the property owners along 25A stopped and he didn't try to run me over by the way. Get that out of your mind."

Supervisor Walter: "All I think about is that's a dangerous

place to walk. I know you do a lot- and a dangerous place to stop."

Sid Bail: "You're correct, you are correct. But he had something on his mind and he was troubled by the fact that he just received notification from the planning board that this other project, this North- whatever it's called, project was moving forward.

And he said I thought there was agreement at the end of April from the town board, of a direction and the direction he was concerned was the split zone on the north side of the road, the MRP, and he is happy- not- he is- he accepts it. Okay. And he would rather see this than the existing zoning.

And I said, well, I've been trying to get clarification as well. And one of the things I've asked the town attorney, I've been asking other people, and one of the explanations I recently got is there are two parallel tracks going on here.

There's the planning board, they're the applicant, they have to process the application. And there is the 25A planning study track. Well, if there are two tracks, I think we've gotten on the slow track and I want to get on the (inaudible) track and move this thing along."

Supervisor Walter: "The problem, and it really is a function of timing. We've spent a lot of town out of Suffolk County in Albany working on EPCAL and the BFJ submitted the environmental assessment form, but it didn't comply with what the town board's wishes were.

And since we were really focused- it's tough to- you know, run the train at 100 miles an hour at every single issue and so we've been pushing very, very hard on EPCAL. And I don't want to say we didn't lose this, we just- you can't do everything all at once.

So what my staff really- Jill took it on herself with the town attorney to say- and, Rick, we will fix the EAF. The problems that the board had agreement on that you didn't put in the EAF. Rather than keep- because we just kept going back and forth.

And so they're doing that and that's going to be discussed on Thursday."

Sid Bail: "I don't always appear to be adversarial, you know, on this and- but- "

Supervisor Walter: "Mark Lesko just text'd me. Do you want to know what he said?"

Sid Bail: "Who?"

Supervisor Walter: "Mark Lesko, he's got a golf outing in Baiting Hollow. Brookhaven supervisor."

Sid Bail: "Okay. But, you know, I think it's important. Like you indicated- you said something that was very wise. That the way you're going to know the outcome of the final results of this plan is a compromise- is that quote both sides are going to be sort of disgruntled and not too satisfied.

But there is another option. The option is you come up with a bad plan, a plan that does almost nothing that you spent \$50,000 on. And I think the jury is still out as far as that concern.

And, you know, I don't want to be cynical about this and, but, you know, I hope we accomplish something and I hope everyone comes out a winner in the end.

Thank you."

Supervisor Walter: "Thank you."

Councilman Dunleavy: "Thank you."

Nick Dipierro: "My name is Nick Dipierro. I'm from Wading River.

I understand that Ms. Mendez and Mr. Bail carry a lot of weight in this town especially in Wading River. I don't carry that much weight, only about 170 pounds, but I would like to have some input as to whatever development goes on, on that Route 25A corridor.

Has anyone ever considered if and when these developments take place, that there be a certain lane to turn into those developments? Because Route 25A is really congested and we can't use the argument that it's going to bring more traffic because we have a lot of traffic there now as it is. Okay.

Wading River is a pass through town. We went through that before. What I would also like to have the town board consider, something like Mattituck has and the village right in their business district.

You drive through Mattituck and the speed limit is reduced to 35 miles an hour. How can the town petition the state of New York to have that speed reduced from 45? Because they don't do 45. They do 55 and 60.

It would be very, very good if that speed limit could be reduced to at least 35 like it is in Mattituck. Mattituck was able to do it many, many years ago. Why can't Wading River?"

There's going to be a certain point where the business district starts at the east end and it ends at the west end. That should be the area where it should be reduced to 35 miles an hour.

And also that lane turning into these developments would be a very important thing because right now we have one lane going in each direction. If you're going to have somebody turn into- making a left hand turn, that traffic is even going to be stopped and further back."

Councilman Dunleavy: "Can I ask you a question? In your development, because you're on 25A, do they have a turn lane there? A right turn lane?"

Nick Dipierro: "If you're coming from the east going west, the- "

Councilman Dunleavy: "There should be a right turn lane there. Is there one?"

Nick Dipierro: "There's no right turn lane."

Councilman Dunleavy: "There isn't. Okay."

Nick Dipierro: "But the shoulder is wide enough for a car to fit through. Whenever I turn into that area, if I want to make a right hand turn, I go on the shoulder and I make a right hand turn."

Councilman Dunleavy: "What happens is the plans are given to the state DOT. The state DOT then comes back with its

recommendations for right hand turns or how the road has to be widened. That's everything built on a state highway has to be done that way.

We can petition the state DOT to reduce the speed limit. And what happens is they come down and they put monitors on and they see what the average speed is and if the average speed— when there's a lot of traffic the people are not speeding at all there, so they get the average speed and then they tell us yes, you can reduce the speed limit to this.

The problem is and we'll do that, I'll bring it up to do it, but it's going to— it takes about two years for the state to make a decision on speed."

Nick Dipierro: "Right. I've been thinking about this for the past five years."

Councilman Dunleavy: "So I will request that we do petition them to lower the speed limit to 35 miles an hour and then what happens is, they'll come back and say the average speed was 45 so we'll do 45 or whatever the average speed is."

Nick Dipierro: "I think it's 45 right now."

Councilman Dunleavy: "Is it 45? All right. Then we'll petition them for 35 and we'll see. We've petitioned for Middle Road to lower it to 30 from 40 and they came back and they said 35. So we can do the same thing there."

Nick Dipierro: "Making a left hand turn off of Route 25A, it's— you're taking your life in your hands. Because I always have to check the rear view mirror to make sure you know I'm steering straight a head because there has been somebody already rear-ended and he had his wheels turned to the left and he went— he was pushed into oncoming traffic."

Councilman Dunleavy: "Your development might have been put up before the DOT, the state DOT got involved with looking at the site plans and making their recommendation."

Nick Dipierro: "That was about 10 years ago."

Councilman Dunleavy: "Yeah, so that could be it."

Nick Dipierro: "Okay."

Councilman Dunleavy: "Okay?"

Nick Dipierro: "Thanks."

Councilman Dunleavy: "We will do that. All right. You do have a voice here."

Nick Dipierro: "Okay. Great. Thank you."

Supervisor Walter: "Mr. Romano."

Steve Romano: "I'm back. Did I hear correct that the telephone audit was going to say \$75,000 per year?"

Councilwoman Giglio: "Seventy five thousand has been accumulative over the years but there will be a savings moving forward now that we're not going to be paying for those phone lines."

Steve Romano: "Okay. Because that sounds like an awful lot of money."

Councilman Dunleavy: "Yes. But I think we only can go back for three years. How far back can we go?"

We went back three years and it came up with 75,000 so if you divide three into 75, you'll find out what the savings probably will be."

Steve Romano: "Well, then that's \$25,000 a year."

Councilman Dunleavy: "Yes."

Steve Romano: "Which would lead me to the question and I'm sure you guys may even asked this. I mean were these lines kind of like covert lines because where's the management, the department heads?"

I know when I- I had to sign off on a phone bill and I was anal about phones because I know how it can easily get out of hand, you know. So I don't know if management has been spoken to to say this is something we're going forward, we really have to pay attention to

because it can go right back to where, you know, you know how it goes."

Councilwoman Giglio: "I'm advocating that we upgrade our phone systems and that could result in a quarter of a million dollar savings over the next five years. And we would have a brand new phone system. That's with the state contract.

I've been working with a company for the past year and they came before the town board and submitted a proposal and I believe it's the desire of the supervisor to send it out for request for a proposal so that other phone companies can bid and we can optimize the savings.

So- and still get a brand new phone system which would be voice over IP so it would all be computer generated so every call that comes in, every phone line- right now we're paying \$20,000 a year for a maintenance contract and that's if somebody moves their desk from here to here so that they can get an extension at the new desk, whether they need it or not, they're getting \$20,000 a year.

So I want to eliminate that and realize at least a quarter of a million dollars savings over the next five years by upgrading our phone system and have been working hard towards that."

Steve Romano: "Sounds good. This is whether a comment or question or something that the board may want to reconsider.

Back in 2009 I think before obviously Sean, Jodi and George were elected, John and Jim may remember this, the Suffolk County Water Authority made a proposal to the town to take over the operation and maintenance of the Riverhead water district.

Like many of the other towns, it was the same kind of proposal, 40 year lease. I'm not- I didn't know the particulars, nothing really ever happened one way or the other but from the leaks that I was able to decipher there would have been a \$20 million dollar payment, all the indebtedness would have been taken over by the water authority and- well, this is what I was told. That's why I'm asking."

Supervisor Walter: "Well, I'll tell you what it was."

Steve Romano: "And all the infrastructure would have been

taken over by the water authority. I don't know if that's accurate. Because if it was, it sounded-- what I was told, is that if that were to take place that the Riverhead water district would be able to maintain its water rates at the pre-increases for years to come. So I-- "

Supervisor Walter: "No."

Steve Romano: "-- you know, that's why I'm here."

Supervisor Walter: "The water authority offered I believe it was \$15 million dollars to take over the water district. H2M valued our assets at \$90 million plus way back when."

The bond indebtedness if I'm not mistaken, they weren't assuming that we had to pay that off, about five million or six million, the bond indebtedness, do you think in the water. So immediately right off the bat, we would have wiped out half of the \$15 million dollars and the Suffolk County water rates are significantly higher-- even after our increase, they are significantly higher than ours and they would have gone up because the same upgrades to our system that we did, they would have had to do.

It's my opinion that certain people wanted to run the water district into the ground so that a takeover would be inevitable for whatever gain I don't know. And that's what happened, is the district was run into the ground and we only had the ability to provide 80%, 84% of the maximum water needs of the residents and the DEC was seriously looking at us as a marginal water district and the words that came out of some of the staff members mouths, was well, you guys are ripe for a takeover.

And so I-- we reversed that trend and we've spent a significant \$5.7 million dollars to upgrade and our rates are still-- I don't remember the percentage even with the new rates are 20% lower."

Steve Romano: "Yeah, they're still lower. Why I brought it up was-- I think I was watching another work session and it wasn't that this was going to be the last of the rate increases. To continue the infrastructure improvements that needed to be done in the district, there would be additional rate increases, it sounded like each year coming down the pike."

Supervisor Walter: "No, stop. That's what- "

Councilman Wooten: "They did a comparison to Suffolk County water. It does have a 10 year increment built in to it."

Steve Romano: "So there won't be a 10- that's what it sounded like."

Councilman Dunleavy: "No. The upgrading that we did was the upgrading that we had to do to serve our customers with a first rate water supply.

We did that and we had to raise the rate to accommodate the changes and the upgrading that we did. We don't expect to do any more upgrading- "

Supervisor Walter: "Well, we'll be doing upgrading but we don't expect- "

Councilman Dunleavy: "-- for quite awhile. No major upgrading."

Supervisor Walter: "-- there's not- H2M would- every- listen, they're engineers. They're not politicians. They would probably turn around, you know, keep increasing the rates. But the other key to the water district, rightly or wrongly, this town for a long time has raided the water district budget to balance the general fund budget and it has increased and increased and increased and my goal hopefully when I can get the general fund deficit under control, is to start to decrease it.

But we're close the \$700,000 a year if I'm not mistaken and at the time the water district was looking to be taken over or at the time the water authority was looking to take us over, we would have lost at least a half a million dollars in revenue to the general fund.

And the reason- I don't want to say we raid the water district, the water district doesn't have any managers, it doesn't have a board, it doesn't have payroll, it doesn't have personnel, it doesn't have clerks. All it has is 15 employees.

So the district pays a fraction of the rest of the cost to the town hall and we would have lost that revenue stream too so there

was nothing, absolutely nothing beneficial to the town for the water authority to take us over."

Councilman Dunleavy: "I have to correct you. We are the board."

Supervisor Walter: "We are the board."

Councilman Dunleavy: "We are the board to the water district so the water district does have a board and we are that board. It's not an external board that is paid by the taxpayers. We just-- like the sewer district, we're the board for the sewer district. We're the board for EPCAL. So we are doing extra work so the taxpayers of the town don't have to pay any extra people to be commissioners on the board of these different entities.

We're the board for the ambulance, so we take that responsibility on when you sit up here."

Councilman Wooten: "But, Steve, just to get back to your point. I think I can probably dig out the original proposal that Suffolk County Water District-- and we looked at it hard and heavy but, you know, when you play Monopoly, you own that utility and that's a real-- you don't want to really lose that."

Steve Romano: "Well, I would-- if everything's even, I would prefer the local control."

Councilman Wooten: "They look good up front but the end game just-- it didn't-- "

Steve Romano: "But it didn't sound from a business standpoint that the town counter-offered and that's what always scratched, you know-- "

Supervisor Walter: "I did. When I took office I told-- "

Steve Romano: "-- forty million. I mean did you-- "

Supervisor Walter: "No, I said a hundred million."

Steve Romano: "Come on, that's not an offer, a hundred million. But if you could say negotiated forty million, I don't know if it would have left the rate payers in the district really in

better shape which I really think is the goal that everybody would have preferred."

Supervisor Walter: "Probably not."

Councilman Dunleavy: "You know, I guess anybody can put anything on the election. If you get enough signatures, you can put a ballot on to do— so anybody, so I mean. If somebody wants to, they can."

I don't think it's worthwhile to go with the Suffolk County Water Authority. I think we have a great water district, it does a great job, and we serve the public tremendously."

Steve Romano: "No, I agree. The only way I would have said that it made sense if you could continue to keep the rate substantially lower than the Water Authority rates and that's what I thought the deal would have provided, but apparently it didn't and that's why you didn't do it. Okay."

Councilman Gabrielsen: "But I want to point out, Steve, and you had some concern that the town of Riverhead would have rate increases in the future."

But if you look at the Suffolk County plan, I think it's over the next 10 years if you look at their plan, they're projecting like 5% a year increases.

So even with that, we're going to be ahead. It would never increase that much each year."

Steve Romano: "In their defense, their infrastructure what they do each year compared to what water districts do is tenfold and that's the reason why they're going to continue to have that."

I mean they do an phenomenal— Riverhead doesn't do bad but I would be you that Gary's not replacing old water mains. He's probably building some new pump stations and transmission mains but Suffolk County, and I think that's why they— locally you have the cost benefit, it's a defined area, everything is not that old, most of it is fairly new, so— "

Supervisor Walter: "Most of ours is new except for downtown."

Steve Romano: "Except for downtown."

Supervisor Walter: "And Polish town, right. the rest of it is all new but we are updating the master plan. We didn't follow the '96-- '06 master plan. We just went in full throttle and replaced things so we could provide the water but we are updating the master plan and I think we'll-- water master plan."

Steve Romano: "Is Riverhead going to-- they're going to control EPCAL, Riverhead water district?"

Supervisor Walter: "Yes. And we are working very closely, in fact, I was on the phone today with Herman Miller trying to hook-- we're trying to work with them trying to hook up Peconic Lake Estates in Brookhaven to the Riverhead water district and so we've had conversations about doing that and they're coming back-- some of the original plans didn't work but, you know, we have ongoing conversations with them."

Steve Romano: "Well, geography is the jewel. Where you're located, it's perfect for them. That's why I thought they would offer a lot more money than what they did."

Supervisor Walter: "Hey, you get us to that \$97 million and the town board-- "

Steve Romano: "No, they're not going to go-- "

Supervisor Walter: "-- and that would provide some savings to the taxpayers."

Steve Romano: "Thank you."

Supervisor Walter: "Thank you. Does anybody else wish to be heard? Not seeing anybody, can I get a motion to adjourn?"

Councilman Dunleavy: "I make a motion we adjourn the town board meeting."

Supervisor Walter: "All in favor?"

Collective response: "Aye."

Meeting adjourned: 9:00 p.m.

Deane M. Thibault
Town Clerk